

**TOWN OF LYONS, COLORADO
ORDINANCE 1167**

**AN ORDINANCE OF THE TOWN OF LYONS, COLORADO,
ANNEXING THE PROPERTY KNOWN AS THE TEBO PROPERTY,
LOCATED AT 4545 UTE HIGHWAY AND 4602 HIGHLAND DRIVE
TO THE TOWN OF LYONS, COLORADO**

WHEREAS, a written petition, together with four (4) prints of an annexation map, has been filed with the Town of Lyons ("Town") Clerk requesting annexation of certain property to be known as the "Tebo Property," as more particularly described below; and

WHEREAS, the Town of Lyons Board of Trustees ("Board of Trustees") desires to approve an annexation petition in accordance with the Municipal Annexation Act, Section 31-12-101 et seq., Colorado Revised Statutes and LMC Chapter 15; and

WHEREAS, the Board of Trustees previously approved Resolution 2024-55, finding substantial compliance and initiating annexation proceedings for the Tebo Property, as defined therein and described below; and

WHEREAS, concurrently with the adoption of this Ordinance on second reading, the Board of Trustees approved Resolution 2024-74, setting forth findings of fact and determinations regarding the Tebo Property; and

WHEREAS, the Town of Lyons PCDC has considered the annexation application and held a public hearing regarding the zoning request on August 14, 2024, and

WHEREAS, the subject parcels are called out within the Lyon's Thrive Comprehensive Plan, Future Land Use Plan, and the 2012 IGA; and

WHEREAS, the Board of Trustees has determined it is in the best interest of the Town to annex the property to be known as the Tebo Property to the Town.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO, AS FOLLOWS:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The Board of Trustees hereby incorporates the findings of Resolution 2024-55 and 2024-74 and further finds that it is in the best interest of the Town to annex the Tebo Property to the Town.

Section 3. The Tebo Property is more particularly described in the real property records for Boulder County as:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED LONGMONT, IN THE COUNTY OF BOULDER, STATE OF COLORADO, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

The West half of the Southeast Quarter of the Northeast Quarter of Section 20, Township 3 North, Range 70 West of the 6th Principal Meridian, Except the following:

Tract conveyed to Boulder County by deed recorded in Book 624 at Page 426;
Tract conveyed to Hugh Lee Hammonds and Susie Cornelia Hammonds by deed Recorded in Book 642 at Page 16;
Tract conveyed to Fred Dirkes by deed recorded in Book 660 at Page 162;
Tract conveyed to Fred David Dirkes and Dorothy Beth Dirkes by deed recorded September 05, 1957 in Book 1055 at Page 197;
Tract conveyed to City of Longmont by Deed recorded August 3, 1966, at Reception No. 822965;
And except any part of the land lying North of the Boulder County Highway known as the Old Estes Park Highway;

And except a tract in the Northeast corner, as stated to have been conveyed by Deed from William L. Parsons to Thomas McCall, as evidenced by deed recorded September 05, 1957, in Book 1055 at Page 200;

And except that part to the Department of Highways by instrument recorded January 19, 1968, on film 625 as Reception No. 869134,

And except a tract conveyed to Junge by deed recorded July 3, 1959, in Book 1113 at Page 416

PARCEL B:

All that portion of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 20, Township 3 North, Range 70 West of the 6th P.M., County of Boulder, State of Colorado, lying East of the Boulder County highway, known as the Estes Park Highway, and North of the following described line:

Beginning at a point on the North right of way line of Highway No. 66, whence the Northeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said section 20, bears North 39°49' East, 1032.99 feet; Thence North 1°34' East, 405.87 feet to the True Point of Beginning of said line;
Thence Westerly parallel to the North line of Highway No. 66, 214.6 feet;
Thence South 1°34' West, 157.77 feet;
Thence North 88°47' West, 423.4 feet, more or less, to said Estes Park Highway;
Except that parcel of land described in Warranty Deed from William L. Parsons and Elizabeth Parsons to Thomas McCall recorded December 13, 1879, in Book 58 at Page 147, Boulder County, Colorado records; and

Except that parcel of land described in Warranty Deed from George W. Kirk to Hugh Lee Hammonds and Susie Cornelia Hammonds recorded July 28, 1936, in Book 642 at Page 16, of said records.

THE PRIOR DESCRIBED PARCEL OF LAND ALSO BEING DESCRIBED AS
FOLLOWS:

A parcel of land located in the Southeast quarter of the Northeast quarter of Section 20, Township 3 North, Range 70 West of the 6th P.M., County of Boulder, State of Colorado, described as follows:

Commencing at the Northeast corner of said South half of the Northeast quarter of section 20 (North sixteenth corner of sections 20 and 21) from whence the East quarter corner lies $S00^{\circ}15'23''W$, 1315.54 feet;

Thence $S\ 59^{\circ}09'09''W$, 759.51 feet to the Northeasterly corner of a parcel of land described in a deed recorded August 3, 1966, at Reception No. 822965, being the point of beginning;

Thence along the Northerly and Westerly lines of said parcel the following two courses:

- 1) $S84^{\circ}59'36''W$, 214.68 feet;
- 2) $S01^{\circ}03'36''W$, 157.77 feet;

Thence $N89^{\circ}17'24''W$, 410.41 feet, more or less to a point on the Easterly line of Highland Drive (previously known as Estes Park Highway);

Thence along the Easterly and Southerly right of way line of Highland Drive, being 20.00 feet from the approximate centerline (as of June 2009), the following nine courses:

- 1) $N21^{\circ}03'39''E$, 31.46 feet;
- 2) $N27^{\circ}42'44''E$, 48.39 feet;
- 3) $N48^{\circ}05'53''E$, 58.96 feet;
- 4) $N58^{\circ}08'08''E$, 148.64 feet;
- 5) $N48^{\circ}49'41''E$, 107.44 feet;
- 6) $N55^{\circ}01'35''E$, 138.17 feet;
- 7) $N28^{\circ}56'43''E$, 100.35 feet;
- 8) $N38^{\circ}25'53''E$, 70.69 feet;
- 9) $N62^{\circ}50'27''E$, 75.50 feet;

Thence $S00^{\circ}00'00''W$, 158.28 feet, more or less, along the extended Westerly line of a parcel described in the deed recorded in Book 642 at Page 16 to the approximate Northerly bank (as of June 2009) of the Palmerton Ditch;

Thence along the approximate Northerly bank (as of June 2009) of the Palmerton ditch the following three courses:

- 1) $N55^{\circ}07'06''E$, 40.49 feet;
- 2) $N76^{\circ}13'39''E$, 28.23 feet;
- 3) $S76^{\circ}54'46''E$, 13.12 feet;

Thence $S01^{\circ}03'36''W$, 214.89 feet, more or less, along the Westerly line extended North of a parcel of land described in a deed recorded July 12, 1966, at Reception No. 820796 to the point of beginning, County of Boulder, State of Colorado.

is hereby annexed to the Town of Lyons, Colorado, and is made a part of the Town, to be known as the Tebo Property, which annexation shall become effective upon completion of the Conditions contained in C.R.S. Section 31-12-113 including, without limitation, all required filings for recording with the Boulder County Clerk and Recorder.

Section 4. That, in annexing the Tebo Property to the Town, the Town does not assume any obligation respecting the construction of water mains, electric service lines, streets or any other service or utilities in connection with the Tebo Property except as may be provided for by Ordinances of the Town or as contractually agreed to in an annexation agreement with the applicant.

INTRODUCED AND PASSED ON FIRST READING THIS _____ DAY OF _____, 2024.

INTRODUCED, AMENDED, PASSED, ADOPTED, AND ORDERED PUBLISHED ON SECOND READING THIS _____ DAY OF _____ 2024.

TOWN OF LYONS, COLORADO

By: _____
Hollie Rogin, Mayor

ATTEST:

Dolores M. Vasquez, CMC Town Clerk